

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ APR 20 2005 ★

PM. _____
TIME A.M. _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SIDNEY HAWKINS,

Petitioner,

JUDGMENT
00-CV- 1343 (SJ)

-against-

JOSEPH COSTELLO, Superintendent,
Mid-State Correctional Facility,

Respondent.

-----X

A Memorandum and Order of Honorable Sterling Johnson Jr., United States District Judge, having been filed on April 20, 2005, ordering that, for the reasons set forth in the Court's Opinion of April 15, 2005, that the Court finds that the trial judge's unreasonable preclusion of potentially exculpatory evidence at petitioner's bench trial deprived petitioner of his due process right to a fair trial and that the erroneous evidentiary rulings are not harmless beyond a reasonable doubt; and ordering that petitioner's conviction is reversed and that petitioner, Sidney Hawkins, is to be released immediately; it is

JUDGMENT
00-CV- 1343 (SJ)

ORDERED and ADJUDGED that for the reasons set forth in the Court's Opinion of April 15, 2005, that the Court finds that the trial judge's unreasonable preclusion of potentially exculpatory evidence at petitioner's bench trial deprived petitioner of his due process right to a fair trial and that the erroneous evidentiary rulings are not harmless beyond a reasonable doubt; that petitioner's conviction is reversed, and that petitioner, Sidney Hawkins, is to be released immediately.

Dated: Brooklyn, New York
April 20, 2005

SO ORDERED.

Dated: Brooklyn, New York
April ___, 2005

HON. STERLING JOHNSON, JR.,
Senior United States District Judge

Judgment Entered:

ROBERT C. HEINEMANN
Clerk of Court